

FORM PTO-1390
(REV 10-97)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

DATE: June 2, 2000 #3

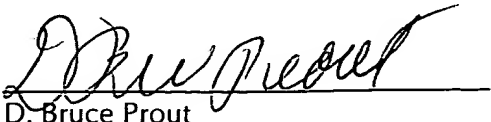
EXPRESS MAIL LABEL NO.
EL496229677USATTORNEY DOCKET NO.
37418/DBP/M521U.S. APPLICATION NO.
09/529,483**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**INTERNATIONAL APPLICATION NO.
PCT/DE98/03046INTERNATIONAL FILING DATE
13.October.1998PRIORITY DATE CLAIMED
13.October.1997TITLE OF INVENTION
MR IMAGING METHOD AND MEDICAL DEVICE FOR USE IN METHODAPPLICANT(S) FOR DO/EO/US
Andreas Melzer and Martin Busch

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/LUS).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items below concern other document(s) or other information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Small entity claim with a copy of this transmittal letter attached.
17. ☐ International search report.
18. ☐ International preliminary examination report.
19. ☒ Copy of Notification of Missing Requirements
20. ☒ Verified Statement Claiming Small Entity Status and Request for Refund
21. ☐

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 09/529,483		INTERNATIONAL APPLICATION NO. PCT/DE98/03046		ATTORNEY DOCKET NO. 37418/DBP	
<input type="checkbox"/> The following fees are submitted: (see Note (1) below) Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO \$ 840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) ... \$ 670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$ 690.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) \$ 96.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				CALCULATIONS	PTO USE ONLY
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	-20=		X \$18	\$	
Independent Claims	-3=		X \$78	\$	
Multiple dependent claim(s) (if applicable)			+ \$260	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$	
SUBTOTAL =				\$	
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$	
Note (1): The basic national fee must be paid when filing this application. The 20-month time limit (37 CFR § 1.494) and 30-month time limit (37 CFR § 1.495) are not extendable.				Amount to be: refunded	\$
				charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ _ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1728</u> . A duplicate copy of this sheet is enclosed.					
NOTE (2): Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
D. Bruce Prout CHRISTIE, PARKER & HALE P.O. Box 7068 Pasadena, CA 91109-7068			By  D. Bruce Prout Reg. No. 20,958		

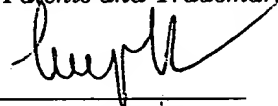
402 Rec'd PCT/PTO

2 JUN 2000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C. 20231-9998 on June 2, 2000.


Sergio F. Chacón, Jr.

Applicant : Andreas Melzer, et al.
Application No. : 09/529,483
Filed : April 13, 2000
Title : MR IMAGING METHOD AND MEDICAL DEVICE
FOR USE IN METHOD
Grp./Div. : To Be Determined
Examiner : To Be Determined
Docket No. : 37418/DBP/M521

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
AND REQUEST FOR REFUND

Commissioner of Patents & Trademarks
Washington, D.C. 20231

P.O. Box 7068
Pasadena, CA 91109-7068
June 2, 2000

Commissioner:

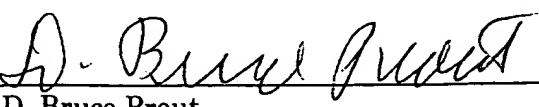
Applicant hereby submits a Small Entity Declaration verifying small entity status for the above-identified application. The application was filed on April 13, 2000 with the large entity filing fee of \$1,572.00. The excess over a small entity filing fee is \$786.00. Applicant requests a refund of the excess filing fee under 37 CFR § 1.28(a).

Please refund by check with this firm as payee, and indicate our docket number on the check. A copy of this request is enclosed.

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By


D. Bruce Prout
Reg. No. 20,958
626/795-9900

DBP/sfc

Enclosure: Small Entity Declaration
Copy of this request

RECEIVED

MAY 30 2000

Christie, Parker & Hale, LLP



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

DBP

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/529483	MELZER	A 37418/DBP
INTERNATIONAL APPLICATION NO.		
PCT/DE98/03046		
LA. FILING DATE	PRIORITY DATE	
13 OCT 98	13 OCT 97	
DATE MAILED: 25 MAY 2000		

D BRUCE PROUT
CHRISTIE PARKER & HALE
P O BOX 7068
PASADENA, CA 91109 7068

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.
☒ Copy of the international application in:
☒ a non-English language.
☐ English.

- ☒ Translation of the international application into English.
☐ Oath or Declaration of inventors(s) for DO/EO/US.
☐ Copy of Article 19 amendments.
☐ Translation of Article 19 amendments into English.

- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
☒ Translation of Annexes to the International Preliminary Examination Report into English.

- ☒ Preliminary amendment(s) filed 13 apr 2000 and
☒ Information Disclosure Statement(s) filed 13 apr 2000 and

- ☐ Assignment document.
☐ Power of Attorney and/or Change of Address.
☐ Substitute specification filed
☐ Verified Statement Claiming Small Entity Status.

- ☒ Priority Document.
☒ Copy of the International Search Report ☒ and copies of the references cited therein.
☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:
☐ PCT/DO/EO/917
☐ PTO-875
☐ Notice of Defective Translation
FORM PCT/DO/EO/905 (December 1997)

Shelby J. Vigil
Telephone: 703-305-3653

SUN

CASE # 37418
REMARKS: r/o of Missing Requirements
REMARKS: 6/25/00
DEADLINE: 11/25/00